

continue to recommend treating your Social Security card like a credit card.

That is a good recommendation. But if you lose your wallet or your purse, you know what might happen. When seniors write to CMS asking to have their Social Security number removed from Medicare documents, CMS sends a reply:

Medicare is required to protect individual privacy and confidentiality in accordance with applicable laws.

CMS is passing the buck. The buck stops here. It stops in Congress. We are abiding by the current law, they say, and that is good enough. But it really is not good enough.

BOB FILNER is a Congressman from San Diego, and he is a person with whom I worked and respect very much. He was attentive to this issue and raised it in consideration of this appropriations bill in the House. Congressman FILNER said, in very simple and straightforward language: No money can be spent on this bill to further issue these Medicare cards that contain Social Security numbers.

The amendment passed with a strong bipartisan vote. But if you look at it, we are afraid that perhaps it went too far—in the right direction but maybe too far. The CMS said there is no way they could cut off immediately the issuance of these cards. So we are placed in a difficult position. We know the problem, and we want to correct it. Cutting off funds and trying to do it immediately may be something that is just unmanageable and cannot be achieved.

My amendment would require the CMS to send a report to Congress by the end of next June outlining how the agency will expeditiously go about changing the system of patient identifiers and how much it will cost. We put the CMS on notice that this is a problem they need to help us solve. They can't pass the buck off to another year and another year of possible identity theft for so many senior citizens.

It is time for the Federal Government to step up the fight against identity theft. We have it in our power to make it much harder for identity thieves who hurt our Nation's seniors, and I commend amendment No. 2196, which I have introduced at this point, to all my colleagues on both sides of the aisle and ask for their bipartisan support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, the amendment offered by the Senator from Illinois is a good amendment. What has happened here is that the House-passed version of the bill requires the Centers for Medicaid and Medicare Services to remove Social Security numbers immediately in order to prevent identity theft. When the Senator from Illinois outlines the problems on identity theft, he is exactly right. The Judiciary Committee, on which both Senator DURBIN and I sit,

has legislation pending now to deal with identity theft in a comprehensive way. But the substance of what Senator DURBIN seeks is very sound.

CMS has advised that it is impossible to administer the House-passed amendment in its present form, which would require immediate removal. The amendment offered by the Senator from Illinois is a compromise to achieve greater protection against identity theft. It essentially calls for a study to give us an opportunity to work it out in a way that CMS can handle. I think the amendment is a good one, and it is agreeable to this side of the aisle as well.

We are going to proceed to a vote—candidly, so we can get some focus of attention on this bill. Our staffs have called around to the offices of all Senators seeking amendments. We have a long list of prospective amendments, but our experience has been that unless we have a vote where Senators come to the well of the Senate, which gives the managers an opportunity to talk to the many Senators who have stated an interest in offering an amendment—unless we proceed in that way, that we have protracted quorum calls without any amendments being offered.

So as previously announced, at 10:45, by the unanimous consent agreement, we will proceed to a vote. Again, I repeat, it will be a 20-minute vote: 15 minutes under the rule, and a limited extension of 5 minutes.

We have 2 minutes until the 10:45 vote is scheduled. In the interim, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Alabama (Mr. SHELBY).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 267 Leg.]

YEAS—98

Akaka	Bayh	Boxer
Alexander	Bennett	Brownback
Allard	Biden	Bunning
Allen	Bingaman	Burns
Baucus	Bond	Burr

Byrd	Grassley	Murray
Cantwell	Gregg	Nelson (FL)
Carper	Hagel	Nelson (NE)
Chafee	Harkin	Obama
Chambliss	Hatch	Pryor
Clinton	Hutchison	Reed
Coburn	Inhofe	Reid
Cochran	Inouye	Roberts
Coleman	Isakson	Rockefeller
Collins	Jeffords	Salazar
Conrad	Johnson	Santorum
Cornyn	Kennedy	Sarbanes
Craig	Kerry	Schumer
Crapo	Kohl	Sessions
Dayton	Kyl	Smith
DeMint	Landrieu	Snowe
DeWine	Lautenberg	Specter
Dodd	Leahy	Stabenow
Dole	Levin	Stevens
Domenici	Lieberman	Sununu
Dorgan	Lincoln	Talent
Durbin	Lott	Thomas
Ensign	Lugar	Thune
Enzi	Martinez	Vitter
Feingold	McCain	Voinovich
Feinstein	McConnell	Warner
Frist	Mikulski	Wyden
Graham	Murkowski	

NOT VOTING—2

Corzine  
Shelby

The amendment (No. 2196) was agreed to.

Mr. SPECTER. I thank my colleagues for the promptness on that vote. The report was made to cut off the vote at 1 minute 6 seconds in excess of the 20 minutes, which is pretty good for voting in this Senate. We will hold the votes to 20 minutes.

We have the Senator from Massachusetts lined up to offer an amendment on Pell grants. We anticipate voting on it at 2:15, but they will have time before the customary adjournment at 12:30 for the policy luncheons to start debate on another amendment.

I have talked to a number of Senators about offering an amendment if that opportunity presents itself. We do want to push ahead.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

AMENDMENT NO. 2213

Mr. KENNEDY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 2213.

Mr. KENNEDY. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the maximum Federal Pell Grant award by \$200 to \$4,250)

At the end of title III (before the short title), insert the following:

SEC. \_\_\_\_\_. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$836,000,000 for carrying out subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070). Such additional appropriation shall be used to increase the maximum Pell Grant for which a student shall be eligible during